

***United States Court of Appeals  
for the Second Circuit***



**APPENDIX**





74-2003

UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

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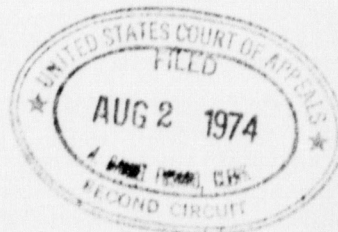
IN RE FELIPE SADIN,

Appellant,

---

NO. 74/2003

APPENDIX



August 2, 1974

HELENA PICHEL SOLLEDER, ESQ.  
ASSIGNED COUNSEL

19 Rector Street  
New York, N.Y.  
BO 9-2222

W

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APPENDIX

Docket Entries,	A-B -C-D	
Judgment and Order of Contempt	E	
Transcript of Proceedings 7/19/74	F - <i>Filed</i>	
Sealed Documents Constituting		
<u>Exhibits:</u> Order of Immunity,		
Application, Affidavit, and		
Letter of Authorization;		
Grand Jury Minutes of Proceedings:		
7/9 and 7/17/74;		
Indictment: USA v. Curbello & Sadin		
Affidavit of Kaplan, Ohio Counsel	"	2
Grand Jury Subpoena	"	3
	"	4

EXHIBIT I



DATE	PROCEEDINGS
7-8-74.	Mrs. Vivian T. Leonardini: Filed order excusing Mrs T. Leonardini from further service on the special Grand Jury Empanelled on Oct. 16, 1973 and the selection of a Replacement Juror. Edelstein, J.
7-9-74	The discharge of Grand Juries Impaneled in June, 1972, July, 1972, August 1972, September, 1972, October, 1972, January, 1973, February, 1973, March, 1973, April, 1973, May, 1973, July, 1973, August, 1973, September, 1973 and January, 1974. Ward, J. Filed order.
7-16-74	Arthur G Schuffman: Filed Memorandum and Order, Deft. was subpoenaed before the Grand Jury to produce the books and records of a corporation *** Deft. testified that they were no longer in his custody. *** The Government at the Grand Jury's request moves to hold him in contempt. The motion must be denied. *** however he may not be compelled without grant of appropriate immunity. The government's motion is accordingly denied, and the proceedings against respondent dismissed. So ordered. Knapp, J. Dated: 7-11-74
6-26-74	ALJEAN H. GREEN - Filed warrant of removal on complaint, Marshall's return dated 6-19-74; warrant of removal executed on 6-20-74. Dated Knapp, J.
7-11-74	RAYMOND MARK MATULEWICZ - Filed order appointing expert to assist the Court. Rule 26 Federal Rules of Criminal Procedure. June 27, 1974 - Dated. Knapp, J.
7-11-74	RAYMOND MATULEWICZ - Filed order dated July 10, 1974 stating that the United States Marshall for SDNY transport the deft. from Fed. House of Detention to the office of Dr. Charles Murkowsky on July 11, 1974 for a psychiatric examination and after to return the deft. to the Fed. House of Detention. Knapp, J.
7-16-74	FRANK WINGATE - Filed Magistrate's Temporary Commitment on Marshall's return dated 7/2/74.
7-18-74	FRANCISCO LI CANOZA a/k/a Francisco Li - Filed Magistrate's temporary commitment on Marshall's return dated 6/14/74.
7-18-74	RICHARD G. ROSENBAUM - Filed order granting the disclosure of the July 17, 1974 Grand Jury testimony of deft. and directing the Gov't. to serve the motion papers of which the subject Grand Jury testimony is a part, upon Harvey Schachter, attorney for deft., on or before July 20, 1974. Order dated July 18, 1974. Duffy, J.
7-17-74	FELIPE SADI - On July 17, 1974, FELIPE SADI, having been subpoenaed to appear before a duly constituted Grand Jury of the Southern District of New York, was duly sworn as a witness. The Court being satisfied that the witness FELIPE SADI has refused unlawfully to testify before said Grand Jury with full understanding of his obligation to testify, accordingly adjudges FELIPE SADI in civil contempt of this Court pursuant to 28 USC Section 1826 and sentences FELIPE SADI to the custody of the Attorney General or his duly authorized representative for the term of the said Grand Jury, sworn in on the 21st day of August 1973, including extensions, or until he shall purge himself of his continued on page 27

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DATE

PROCEEDINGS

7-17-74 FELIPE SADIN con't. - contempt by complying with the Court's orders by answering and the questions put to him by counsel, but in no event shall such confinement exceed eighteen months. The said FELIPE SADIN is remanded forthwith to commence service of the sentence imposed herein. It is so ordered, Kevin Thomas Duffy

7-18-74 ALBERT A. ANIELLO - Filed Govt's. affidavit for order of psychiatric examination. Order signed by Judge Ward on 7/12/74 with Marshall's return executing order on 7/19/74.

7-19-74 FELIPE SADIN - Dist. discharged from custody of U.S. Marshall and released on own recognizance pending appeal. Duffy, J.

7-22-74 JEAN XAVIER VAN LIEGOT - Filed affidavit in opposition to Govt's. motion for psychiatric examination of deft.

7-19-74 FELIPE SADIN: Filed notice of appeal from Judgment & Order of commitment for Civil Contempt entered in the U.S.D.C. on July 17-74 (Copies mailed to U.S. Atty. & FDH) 7-22-74 Red \$5. filing fee  
7-23-74 Pd US Treasury.



DATE	PROCEEDINGS
7-24-74	Filed envelope" the within documents are hereby ordered sealed to be opened by order of the court and to be placed in vault in Room 602. Knapp, J.
Jul 24-74	In the Matter of FELIPE SADIN: Filed transcript of record of proceedings dated July 19-74.
7-25-74	IN THE MATTER OF: Disclosure of certain evidence before the Jan. 1974 Special Grand Jury and certain other subpoenaed Grand Jury documents. Filed application and order ordered sealed and impounded. Duffy, J.
7-25-74	Filed envelope-Ordered sealed and impounded in Rm. 602 cashier's Office. Duffy, J.
7-26-74	Filed envelope: Ordered sealed and impounded. Ordered sealed 7/19/74. Placed in vault in Rm. 602.
from Pg. 29	JOHN MASIELLO: Criminal Contempt 18:401 and Rule 42(B) FRCP. Filed Judgment (atty. present) It is adjudged that the deft. is hereby committed to the custody of the Atty. Gen. or his authorized representative for imprisonment for a period of One(1) Year and One(1) Day pursuant to Title 18, U.S. Code, Sec. 4208(a)(2); said sentence is to run consecutive to all sentences heretofore imposed. Writ satisfied. Issued commitment and copies. Cannella, J.
	(See 74Cr. Misc. #1 Page 29)
7-25-74	RAYMOND MARK NATULEWICZ - Filed order that deft. be released on own recognizance upon the following conditions: 1) he live with his family, 2) he report to the U.S. Probation Office in Wilmington, Delaware, no later than 7/25/74, and as further directed, 3) he report for psychiatric treatment as is directed by the U.S. Probation Department, 4) he take medication as is prescribed by his physician, 5) he return to court when so directed, and he be released in the custody of his father, Dr. Edward Natulewicz. Order dated 7-25-74. Knapp, J.
7-26-74	RAYMOND MARK NATULEWICZ - Filed order dated 7/22/74 that the Administrative Office pay \$150.00 to Charles Burkofsky for services rendered. On July 11, 1974 the Court ordered Dr. Charles Burkofsky to examine the deft. and to make recommendations to the Court and he did so, the Court further ordered that pursuant to 50 of Dept. of Justice Memorandum No. 2110.24 dated 6/22/72, the Administrative Office of the United States Courts compensate Dr. Burkofsky in a reasonable amount to be fixed by the Court. Knapp, J.
7-25-74	FELIPE SADIN - Filed discharge stating that the Honorable Kevin Thomas Duffy ordered that the prisoner be discharged from the custody of the U.S. Marshall. Marshall's return dated 7-19-74.

DATE

PROCEEDINGS

29-74 IN RE FELIPE SADIN; Filed stipulation re sealed documents that the record on appeal shall consist of those documents as enumerated in the within stipulation.

7

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FILED

JUL 17, 1974

S.D. OF N.Y.

-----x  
:  
IN RE FELIPE SADIN:  
JUDGMENT AND ORDER:  
74 C. Misc # 1 page 2  
-----x

1. On July 17, 1974, FELIPE SADIN, having been subpoenaed to appear before a duly constituted Grand Jury of the Southern District of New York, was duly sworn as a witness.

2. The witness FELIPE SADIN on July 17, 1974, did decline to answer questions before the said Grand Jury on the ground that his answers might tend to incriminate him, the aforesaid Grand Jury (which Grand Jury had been sworn in on the 21st day of August, 1973) then and there inquiring, inter alia, into possible violations of the Federal statutes prohibiting conspiracies involving narcotics and distribution of narcotic drugs, Title 21, United States Code, Sections 812, 841 and 846 and other violations of the laws of the United States. Thereafter, an application was made by the Government before the Court for an order affording FELIPE SADIN immunity as provided under Sections 6002 and 6003 of Title 18, United States Code, in connection with his testimony before the said Grand Jury. Said order was issued and signed by Hon. Kevin T. Duffy, United States District Judge, on July 17, 1974 and the witness directed to give testimony pursuant to said order. The witness FELIPE SADIN thereafter continued to refuse to answer questions put to him before the said

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Grand Jury relating to matters falling within the scope of said grant of immunity, and did wilfully and without just cause refuse to obey the Court's orders directing him to answer said questions and to comply with the Court's order to testify.

3. Thereafter, on July 17, 1974, the Government applied for an order holding the witness FELIPE SADIN in civil contempt of the Court and confining said FELIPE SADIN pursuant to Title 28, United States Code, Section 1826(a).

4. The Court being satisfied that the witness FELIPE SADIN has refused unlawfully to testify before said Grand Jury with full understanding of his obligation to testify, accordingly adjudges FELIPE SADIN in civil contempt of this Court, <sup>(pursuant to 28 United States Code § 1826)</sup> and sentences FELIPE SADIN to the custody of the Attorney General or his duly authorized representative for the term of the said Grand Jury, sworn in on the 21st day of August 1973, including extensions, or until he shall purge himself of his contempt by complying with the Court's orders by answering the questions put to him by counsel, but in no event shall such confinement exceed eighteen months.

5. The said FELIPE SADIN is remanded forthwith to commence service of the sentence imposed herein. ~~Application for a stay of the execution of sentence pending appeal of this Judgment and Order is hereby denied.~~

IT IS SO ORDERED,

by KEVIN T. DUFFY  
KEVIN T. DUFFY  
United States District Judge

Dated: New York, New York

July 17, 1974

A TRUE COPY  
RAYMOND F. BURCHARDT, Clerk  
By [Signature]  
Deputy Clerk

ONLY COPY AVAILABLE

Sir:

Form No. USA-325-270  
(Rev. 10-23-64)

You will please take notice that a \_\_\_\_\_  
of which the within is a copy, was this day  
duly entered in the within entitled action,  
in the office of the Clerk of this Court.

Dated, N. Y., \_\_\_\_\_, 19\_\_\_\_

Yours, etc.,

United States Attorney  
Attorney for \_\_\_\_\_

To \_\_\_\_\_

Attorney for \_\_\_\_\_

Sir:

Please take notice that the within \_\_\_\_\_  
will be presented for settlement and sig-  
nature to the Honorable \_\_\_\_\_  
United States District Judge, at the office of  
the Clerk, Room 601, United States Court-  
house, Foley Square, Borough of Manhattan,  
City of New York, on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at 10:30 o'clock in the \_\_\_\_\_ noon  
or as soon thereafter as counsel can be heard.

Dated, N. Y., \_\_\_\_\_, 19\_\_\_\_

Yours, etc.,

United States Attorney  
Attorney for \_\_\_\_\_

To \_\_\_\_\_

Attorney for \_\_\_\_\_

United States District Court

SOUTHERN DISTRICT OF NEW YORK

IN RE FELIPE SADIN

JUDGMENT AND ORDER

PAUL J. CUPPAN  
TEL. 261-3311 United States Attorney  
264-6435 Attorney for U.S.A.

Due service of a copy of the within is here-  
by admitted.

New York, \_\_\_\_\_, 19\_\_\_\_

Attorney for \_\_\_\_\_

To \_\_\_\_\_

Attorney for \_\_\_\_\_

FPI-S3-2-22-71-SOM-7015

SAS:bm  
72-2183  
n-764

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In the Matter of : ORDER

FELIPE SADIN :  
A WITNESS BEFORE THE GRAND :  
JURY :

-----X  
1. Paul J. Curran, United States Attorney for the Southern District of New York having on this date made written and oral application for an order compelling Felipe Sadin to testify and produce evidence before a duly constituted Grand Jury in the Southern District of New York, pursuant to Title 18, United States Code, Sections 6002 - 6003; and

2. The said Felipe Sadin on July 17, 1978, having declined to answer questions before the said Grand Jury on the ground that his answers might tend to incriminate him, the aforesaid Grand Jury then and there, inquiring, inter alia, into possible violations of the Federal statutes prohibiting conspiracies involving narcotics and distribution of narcotic drugs, Title 21, United States Code, Sections 812, 841 and 846 and other violations of the laws of the United States; and

3. It being the judgment of the United States Attorney that the testimony or other information from Felipe Sadin may be necessary to the public interest; and



Sir:

Form No. USA-228-270  
(Rev. 10-25-64)

You will please take notice that a \_\_\_\_\_  
of which the within is a copy, was this day  
duly entered in the within entitled action,  
in the office of the Clerk of this Court.

Dated, N. Y., \_\_\_\_\_, 19\_\_\_\_

Yours, etc.,

United States Attorney  
Attorney for \_\_\_\_\_

To \_\_\_\_\_

Attorney for \_\_\_\_\_

Sir:

Please take notice that the within \_\_\_\_\_  
will be presented for settlement and sig-  
nature to the Honorable \_\_\_\_\_  
United States District Judge, at the office of  
the Clerk, Room 601, United States Court-  
house, Foley Square, Borough of Manhattan,  
City of New York, on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at 10:30 o'clock in the \_\_\_\_\_ noon  
or as soon thereafter as counsel can be heard.

Dated, Y., \_\_\_\_\_, 19\_\_\_\_

Yours, etc.,

United States Attorney  
Attorney for \_\_\_\_\_

To \_\_\_\_\_

Attorney for \_\_\_\_\_

United States District Court

SOUTHERN DISTRICT OF NEW YORK

In the Matter of

FELIPE SADEN  
A WITNESS BEFORE THE GRAND  
JURY

ORDER

PAUL J. CURRAN

TEL. 264-2341: 6435 United States Attorney  
Attorney for USA

Due service of a copy of the within is here-  
by admitted.

New York, \_\_\_\_\_, 19\_\_\_\_

Attorney for \_\_\_\_\_

To \_\_\_\_\_

Attorney for \_\_\_\_\_

FPI-SS-2-22-71-50M-7015

AFFIDAVIT

STATE OF OHIO

SAS:bj  
72-2133  
n-754

4. The aforesaid application having been made with the approval of the Assistant Attorney General in charge of the Criminal Division of the Department of Justice, pursuant to the authority vested in him by 18 U.S.C. §6003 and 28 C.F.R. 0.175; it is

ORDERED pursuant to 18 U.S.C. §§6002 and 6003 that the said Felipe Sadin is hereby ordered and compelled to give testimony or provide other information as to all matters about which he may be interrogated before said Grand Jury.

IT IS FURTHER ORDERED that pursuant to the immunity provisions of Title 18, United States Code, Sections 6002-6003, no testimony or other information which said Felipe Sadin produces in obedience to this Order or any information directly or indirectly derived from such testimony or other information may be used against said Felipe Sadin in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this order.

---

U.S.D.J.

Dated: New York, New York

July 17, 1974

AVAILABLE

SN:cmw  
72-2133

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In the Matter of :

FELIPE SADIN : APPLICATION FOR  
A WITNESS BEFORE THE GRAND : IMMUNITY  
JURY :

18 U.S.C. §§ 6002 - 6003

-----X

Paul J. Curran, United States Attorney for the Southern District of New York, hereby makes application for an order instructing Felipe Sadin to testify and provide other information pursuant to the provisions of Title 18, United States Code, Sections 6002 - 6003 and respectfully alleges as follows:

1. Felipe Sadin was subpoenaed to appear and did appear on July 17, 1974 before a duly constituted Grand Jury of the Southern District of New York, sworn in on the 21st day of August, 1973, and sitting at New York, New York. This Grand Jury began an inquiry into alleged violations of various Federal statutes, including Sections 812, 841 and 846, Title 21, United States Code (narcotics conspiracy and distribution).

2. In response to questions related to activities falling within the scope of the above statutes, Felipe Sadin invoked his constitutional privilege against self-incrimination and refused to answer.

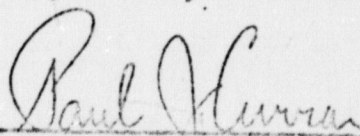


SN:bg  
72-2183

3. This application for immunity is being made in good faith, with the approval of Henry E. Petersen, Assistant Attorney General of the United States, in the belief that the witness can give important testimony which will be pertinent to the Grand Jury inquiry and necessary to the public interest. A copy of the letter from the Assistant Attorney General expressing such approval is attached hereto.

WHEREFORE, the United States of America requests the Court to order Felipe Sadin to answer the questions which he has heretofore refused to answer, and to testify and give information relating to all matters pertinent to the pending Grand Jury inquiry, pursuant to the provisions of Title 18, United States Code, Sections 6002 - 6003.

Respectfully submitted,



PAUL J. CURRAN  
United States Attorney

SN:bg  
72183

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
In the Matter of  
:  
FELIPE SADIN  
A WITNESS BEFORE THE GRAND JURY :  
:  
-----X

AFFIDAVIT

STATE OF NEW YORK )  
COUNTY OF NEW YORK : SS.:  
SOUTHERN DISTRICT OF NEW YORK )

STEVEN A. SCHATTEN, being duly sworn, deposes and  
says:

1. I am an Assistant United States Attorney in  
the office of Paul J. Curran, United States Attorney for the  
Southern District of New York, and am familiar with the above  
matter.

2. This affidavit is submitted in support of the  
application for an order directing Felipe Sadin to answer  
certain questions.

3. I was present before the Grand Jury on July 17,  
1974, during Felipe Sadin's testimony, Felipe Sadin invoked  
his privilege against self-incrimination and refused to  
answer questions relating to the Grand Jury's inquiry into  
alleged violations of Title 21, United States Code, §§ 812,  
841 and 846, and other federal statutes.

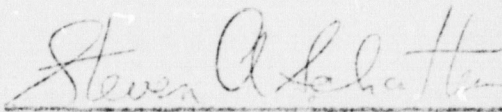


SAS:bg

4. This application for immunity is made with the approval of the designated Assistant Attorney General of the Criminal Division of the Department of Justice and the United States Attorney for the Southern District of New York.

5. This application for immunity is based on the belief that the testimony and other information sought is necessary and material to the investigation now being conducted by the Grand Jury and may be necessary to the public interest.

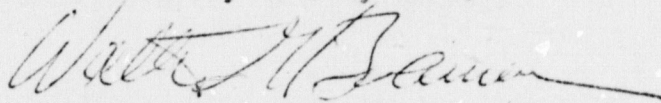
6. This application for immunity is made in good faith.



STEVEN A. SCHAITEN  
Assistant United States Attorney

Subscribed and Sworn to before me

this 17th day of July 1974.



WALTER G. BRANNON  
Notary Public, State of New York  
No. 24-0314300  
Qualified in Kings County  
Cert. filed in New York County  
Term Expires March 30, 1975

Sir:

Form No. 101A-336-270  
(Rev. 10-25-66)

You will please take notice that a \_\_\_\_\_  
of which the within is a copy, was this day  
duly entered in the within entitled action,  
in the office of the Clerk of this Court.

Dated, N. Y., \_\_\_\_\_, 19\_\_\_\_

Yours, etc.,

United States Attorney  
Attorney for \_\_\_\_\_

To

Attorney for \_\_\_\_\_

Sir:

Please take notice that the within \_\_\_\_\_  
will be presented for settlement and sig-  
nature to the Honorable \_\_\_\_\_  
United States District Judge, at the office of  
the Clerk, Room 601, United States Court-  
house, Foley Square, Borough of Manhattan,  
City of New York, on the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at 10:30 o'clock in the \_\_\_\_\_ noon  
or as soon thereafter as counsel can be heard.

ted, N. Y., \_\_\_\_\_, 19\_\_\_\_

Yours, etc.,

United States Attorney  
Attorney for \_\_\_\_\_

To

Attorney for \_\_\_\_\_

United States District Court

SOUTHERN DISTRICT OF NEW YORK

In the Matter of

FELIPE SADIN  
A WITNESS BEFORE THE GRAND  
JURY

APPLICATION FOR HONORARY

18 U.S.C. §§ 6002 - 6003

PAUL J. CURRAN

TEL. 264-3331 6435 United States Attorney  
Attorney for U.S.A.

Due service of a copy of the within is here-  
by admitted.

New York, \_\_\_\_\_, 19\_\_\_\_

Attorney for

To

Attorney for

FPI-SS-2-22-71-50M-7615

THE UNITED STATES OF AMERICA  
DISTRICT COURT OF THE DISTRICT OF COLUMBIA

IN RE: [illegible]

JOHN [illegible]

VS. [illegible]

[illegible]

THE UNITED STATES OF AMERICA

VS. [illegible]

[illegible]

VS. [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

FROM HIS [illegible] BY  
[illegible] [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]



Department of Justice

Washington 20530

July 15, 1974

SHATTEN D

73-4105

Mr. Paul J. Curran  
United States Attorney  
New York, New York

Attn: Mr. Steven A. Schatten  
Assistant U. S. Attorney

Dear Mr. Curran:

Your request for authorization to apply to the United States District Court for the Southern District of New York for an order or orders requiring Felipe Sadin to give testimony or provide other information pursuant to 18 U.S.C. 6002-6003 in the matter of a grand jury investigation into violations of the Controlled Substances Act and in the case of United States v. Hugo Curbello, et al., No. 74 Cr. 381 (S.D.N.Y.), and in any further proceedings resulting therefrom or ancillary thereto is hereby approved pursuant to the authority vested in me by 18 U.S.C. 6002-6003 and 28 C.F.R. 0.175.

Sincerely,

HENRY E. PETERSEN

Assistant Attorney General  
Criminal Division

EXHIBIT I

G. J. MINUTES OF PROCEEDINGS

July 9, 1974

July 15, 1974

ORDERED SEALED

EXHIBITS BY

JUDGE DUFFY

(S.M. 7/19/74 p. 42.)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
UNITED STATES OF AMERICA,

v.

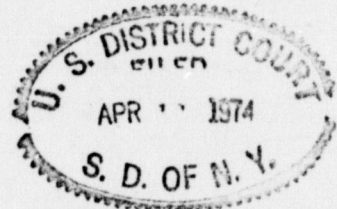
HUGO CURBELLO  
and FELIPE SEDIN,

Defendants.  
-----x

INDICTMENT

74 Cr.

74 Cr. 281



COUNT ONE

The Grand Jury charges:

1. From on or about the 7th day of November, 1972, and continuously thereafter up to and including the date of the filing of this indictment, in the Southern District of New York, HUGO CURBELLO and FELIPE SEDIN, the defendants and others to the Grand Jury unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed together and with each other to violate Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said defendants unlawfully, intentionally and knowingly would distribute and possess with intent to distribute Schedule I and II narcotic drug controlled substances the exact amount thereof being to the Grand Jury unknown in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York:

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EXHIBIT 2

SAS:js  
73-4105

1. On or about November 7, 1972, defendant FELIPE SEDIN entered 90 Laurel Hill Terrace, New York, New York.

2. On or about November 7, 1972, defendant FELIPE SEDIN entered the Vesuvio Bar, 183rd Street and St. Nicholas Avenue, New York, New York.

COUNT TWO

The Grand Jury further charges:

On or about the 7th day of November, 1972, in the Southern District of New York, HUGO CURBELLO and FELIPE SEDIN, the defendants, unlawfully, wilfully and knowingly did distribute and possess with intent to distribute a Schedule II narcotic drug controlled substance, to wit, approximately 130 grams of cocaine.

(Title 21, United States Code, Sections 812, 841(a) (1) and 841(b)(1)(A) and Title 18, United States Code, Section 2).

Thomas J. Lawrence  
FOREMAN

Paul J. Curran  
PAUL J. CURRAN  
United States Attorney

## United States District Court

SOUTHERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA

vs.

HUGO CURBELLO  
and FELIPE SEDIN,

Defendants.

## INDICTMENT

(74 Cr.)

18 U.S.C. § 2

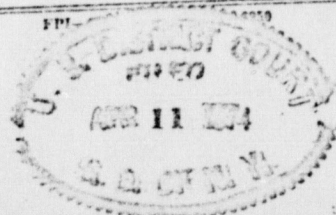
21 U.S.C. §§ 812, 841(a)(1),  
841(b)(1)(A), 846.

PAUL J. CURRAN

United States Attorney.

A TRUE BILL

Foreman





APR 22 1974

~~Of record at court on 4/22/74~~

APR 22 1974

<sup>25TH</sup> Def't not present. Court directs  
 plea. Case assigned to Tyler  
 B/w ordered Press

JUN 7 - 1974 - Hugo Curbelle (att'y. present)

Pleads not guilty to each of counts 1 +  
 Def't. Continued on Bail \$5000. PRB.  
 10 days for motions. Tyler J.  
 thru interpreter Ricardo Sanchez (sworn)

RB

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A F F I D A V I T

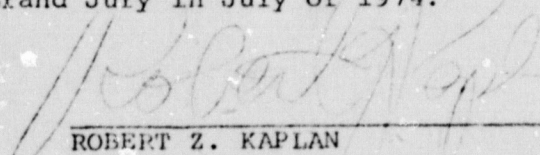
STATE OF OHIO :  
                  ss.  
COUNTY OF LUCAS:

ROBERT Z. KAPLAN, being first duly sworn according to law, deposes and says that he is an attorney at law and has been licensed to practice law in the State of Ohio since 1955 and is admitted to practice in the Federal District Court, having been admitted before the United States District Court for the Northern District of Ohio, Western Division.

Affiant further says that he is and has been Counsel for Felipe Sadin in the case of United States vs. Felipe Sadin, cause number CR-74-96 on the docket of the United States District Court for the Northern District of Ohio, Western Division.

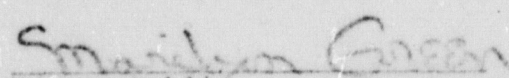
Affiant further says that his representation of the said Felipe Sadin is limited to the above-mentioned cause and is and has been limited solely to his appearances before the United States District Court for the Northern District of Ohio, Western Division.

Affiant further says that at no time has he represented the said Felipe Sadin in connection with any appearance outside the jurisdiction of the Federal District Court for the Northern District of Ohio, Western Division, and he did not represent the said Felipe Sadin in his appearances before the Grand Jury sitting in the Southern District of New York on the occasion of his two appearances before the said Grand Jury in July of 1974.

  
ROBERT Z. KAPLAN

Sworn to before me and subscribed in my presence  
this 30th day of July, 1974.

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Marilyn Green  
Notary Public

MARILYN GREEN



AVAILABLE

Form No. USA-33-222 (Rev. 12-11-70) Grand Jury Subpoena

SAS:ew

United States District Court  
SOUTHERN DISTRICT OF NEW YORK

TO FELIPE SADIN

GREETING:

WE COMMAND YOU that all and singular business and excuses being laid aside, you and each of you appear and attend before the GRAND INQUEST of the body of the people of the United States of America for the Southern District of New York, at a District Court, to be held at Room 1401 in the United States Courthouse, Foley Square, in the Borough of Manhattan, City of New York, in and for the said Southern District of New York, on the 17th day of July 1974, at 12:00 o'clock in the forenoon, to testify and give evidence in regard to an alleged violation of Section 846, Title 21, United States Code (relating to narcotic conspiracy)

on the part of the United States, and not to depart the Court without leave thereof, or of the United States Attorney.

And for failure to attend you will be deemed guilty of contempt of Court and liable to penalties of the law.

DATED: New York, N. Y. July 9, 1974

*Paul J. Curran*

PAUL J. CURRAN  
United States Attorney for the  
Southern District of New York

*Raymond K. Bingham*  
Clerk.

Note: Report at Room 450. In order to secure your witness fees and mileage, it is necessary that you retain this Subpoena and present the same at the United States Attorney's Office, Room 450, upon each day on which you attend Court as a witness.

Assistant STEVEN A. SCHATTEN  
Telephone: (212) 264-6435

Room 435

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J

Se recibe una copia para comparecer el  
día 17 de Julio de 1974.

Telipe Andino

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